

August 8, 2024

Via Federal Express

The Honorable Sallie Kim
Judge
Attn: Class Action Clerk
United States District Court for the Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102-3489

FILED
AUG 14 2024
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

Dear Judge Kim,

I am Jacob Emerson, a prospective¹ class member in *Salinas v. Block, Inc.*, No. 3:22-CV-04823. I am writing this letter requesting that the Court order Class Counsel to post somewhere public and visible on the Settlement Website (www.cashappsecuritysettlement.com) any and all case documents that could be obtained from the Public Access to Case Records (PACER) terminal for this case for the benefit of Class Members.

This Settlement potentially impacts 44 million verified users that actively use Cash App every month.² The Notice that I and millions of other Cash App users received says the following on the matter of being able to read case documents—

“This notice summarizes the proposed settlement. For the precise terms of the settlement, please see the settlement agreement available at www.cashappsecuritysettlement.com, by accessing the Court docket in this case, for a fee, through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, United States, 450 Golden Gate Avenue, San Francisco, CA 94102-3489, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. If you have any questions contact class counsel at Gary S. Graifman - Kantrowitz, Goldhamer & Graifman, P.C., cashappsettlement@kgglaw.com, Nicholas Migliaccio - Migliaccio & Rathod LLP, info@classlawdc.com and William B. Federman - Federman & Sherwood, info@federmanlaw.com.”

For those of us who cannot afford to get on a plane to San Francisco (I know I certainly cannot) or travel to our local federal district court building easily, Class Counsel simply suggests that Class Members who may or may not have had to expend time and financial resources on

¹ Based on the description of the people who are Class Members and the lack of certainty whether or not I am part of the Class, and that I used Cash App Investing at one point or another to invest in cryptocurrency, I say “prospective class member”.

² Block says Cash App has 44 mln verified monthly users after Hindenburg report, Reuters (March 30, 2023 11:43 AM CDT), <https://reuters.com/technology/block-says-cash-apps-44-mln-monthly-users-out-51-mln-have-verified-accounts-2023-03-30/>.

securing their personal information from the data breach at issue in this Settlement should pay for the privilege of seeing what positions the parties take on who is and is not a Class Member and to see how this Settlement turns out in the end, as it just has been preliminary approved by the Court at this stage. This suggestion is unacceptable, comes from a place of ignorance and more likely than not lack of care for the Class and its interests, and is merely focused on Class Members being able to see the Settlement Agreement (which is, to Class Counsel's credit, publicly available on the Settlement website). Class Members such as myself are not even sure if they *are* truly Class Members and that Class Counsel cannot possibly care about all of the millions upon millions of potential Class Members (and the presumption that they *do* care is, in my view, necessarily defeated by the breathtaking lack of care for Class Members being able to see all the case documents), the Court should act in the best interests of the Class and immediately order Class Counsel to post any and all case documents online on the Settlement website.

Class Counsel in the PACER Fees Settlement in *Nat. Veterans Legal Svcs. Program, v. USA*, No. 1:16-CV-00745 (D.D.C.) had met this request by a Class Member in that Settlement (and ironically, I was a Class Member in that settlement, I believe) by simply posting all the case documents on the Settlement website.³ Class Counsel here should follow that example. Doing so would be in the best interest of the judicial economy, as then the Court could deny this motion as moot. *See* Plaintiffs' Response to Don Kozich's Verified Motion for Free PACER Access Until Final Disposition of this Case, *Nat. Veterans Legal Svcs. Program, v. USA*, No. 1:16-CV-00745 (D.D.C.), ECF No. 65 (September 29, 2017).

In addition to the main request for relief in this letter, I move for leave to file this letter on the case docket, and for any and all other, further, or different relief as the Court may deem appropriate.

Sincerely yours,



Jacob Emerson
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³ <https://pacerfeesclassaction.com/court-documents.aspx>

CERTIFICATE OF SERVICE

THE STATE OF TEXAS
COUNTY OF TRAVIS

My name is Jacob Emerson, formerly known as Jacob Henson. I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is accurate to the best of my knowledge and belief.

I prepared three (3) originals of the foregoing letter to be mailed via Federal Express 2-Day Shipping to the following—

Class Action Clerk
United States District Court for the Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Nicholas Migliaccio/Jason Rathod
Migliaccio & Rathod LLP
412 H Street Northeast, Suite 302
Washington, District of Columbia 20002

Aravind Swaminathan
Orrick, Herrington & Sutcliffe LLP
701 5th Avenue, Suite 5600
Seattle, Washington 98104

And I will give said mailings to Federal Express on or about August 10, 2024 or August 12, 2024 to be delivered to the above addresses.

THE STATE OF TEXAS
COUNTY OF TRAVIS

My name is Jacob Emerson. My date of birth is January 9, 2004, and my mailing address is Post Office Box 152041, Austin, Texas 78715. I declare under penalty of perjury that the foregoing is true and correct. Executed in Travis County, Texas, on this 8th day of August 2024.



Jacob Emerson
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